

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

UNITED STATES OF AMERICA,

v.

1:03-cr-66-WSD-1

LEE ANTWAIN GEORGE, JR.,

Defendant.

OPINION AND ORDER

This matter is before the Court on Defendant’s Motion to Modify And/Or Terminate Supervised Release (the “Motion”) [74]. Defendant seeks termination of supervised release pursuant to 18 U.S.C. § 3583(a)(1). Defendant argues he has “engaged in post-incarceration rehabilitation efforts at home and in the community.” Mot. At 2. Defendant claims further that he “maintained steady employment” and “living skills.” Id. at 3.

Section 3583(e)(1) provides that the Court may terminate a defendant’s supervision after one year of supervision served if a Court “is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” 18 U.S.C. § 3583(a)(1). The Court requested Defendant’s probation officer to assess and report on Defendant’s compliance with the conditions of

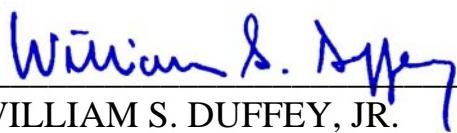
supervision. Defendant's compliance has been inconsistent. Shortly after beginning supervision on July 30, 2012, Defendant failed to comply with random drug testing obligations and on December 14, 2014, he tested positive for cocaine. He still has restitution and fine obligations. More recently, Defendant failed to submit proof of employment, hampering the ability to determine if he is making his required restitution payments. He now is current on his payments and his residence and employment are now apparently stable.

The Court is not satisfied, based on his past record, that Defendant's compliance with his supervised release terms and conditions will, in the future, be consistent. As a result, the Court concludes that termination of Defendant's supervised release is not appropriate at this time.

Accordingly,

IT IS HEREBY ORDERED that Motion to Modify And/Or Terminate Supervised Release [74] is **DENIED**.

SO ORDERED this 11th day of May, 2016.



WILLIAM S. DUFFEY, JR.
UNITED STATES DISTRICT JUDGE